EXHIBIT I	NÖ.	

6-12-04

Docket Item #3

SPECIAL USE PERMIT #2004-0015

Planning Commission Meeting

June 1, 2004

ISSUE:

Consideration of a request for a special use permit to operate a martial arts

school.

APPLICANT:

Kwang Weon Woo

by James C. Pan, agent

LOCATION:

3400 & 3402 Commonwealth Avenue

ZONE:

CSL/Commercial Service Low

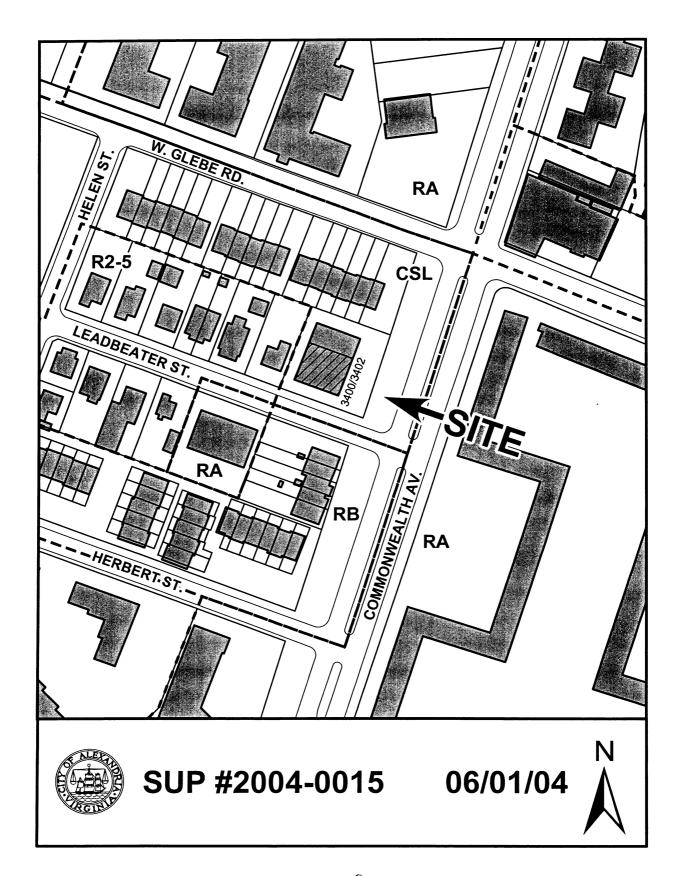
<u>PLANNING COMMISSION ACTION, JUNE 1, 2004</u>: By unanimous consent, the Planning Commission <u>recommended approval</u> of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

<u>PLANNING COMMISSION ACTION, MAY 4, 2004</u>: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.



I. DISCUSSION

REQUEST

The applicant, Kwang Weon Woo, represented by James C. Pan, requests special use permit approval for the operation of a martial arts school located at 3400 Commonwealth Avenue.

SITE DESCRIPTION

The subject property is one lot of record with approximately 113 feet of frontage on Commonwealth Avenue, 101 feet of depth and a total lot area of 12,396 square feet. The site is located on the corner of Leadbeater Street and Commonwealth Avenue, and is developed with a one story, masonry, 4,640 square foot commercial/industrial building and a parking lot. The subject building is divided into four tenant spaces, one of which is currently occupied by a dry cleaner. The applicant will occupy the two most northern tenant spaces and convert them into one space as shown on the attached plan. The remaining space is vacant.

In November 2002, City Council approved a special use permit to operate Stepping Stones, a private club, at this subject site but that SUP is no longer active.

SURROUNDING USES

Residential properties surround the use on four sides. Institutional and commercial buildings are located about 150 to 200 feet away at the corner of Commonwealth Avenue and Glebe Road.

PROJECT DESCRIPTION

This application is a request to operate a martial arts school offering instruction to both children and adults in Tae Kwon Do and Hap Ki Do. According to the applicant, the minimum age of children attending the school will be four years. The applicant states that between ten and 12 students will attend each class, with a maximum of 20 students present at any one time. Only one class will be conducted at any one time.

Hours of Operation: Classes will be held between 9:00 A.M. and 10:00 P.M., Monday

through Friday, and between 9:00 A.M. and 3:00 P.M. on Saturday.

The school will be closed on Sunday.

Employees: The business will be operated by one full-time and one part-time

employee, for a total of two employees.

Trash: Garbage will be minimal and collected twice a week by a private

contractor. Litter will be monitored by the business management.

There will be no regular unloading of goods for the business.

PARKING

Section 8-200(A)(11) of the zoning ordinance requires a school which holds class for a maximum of 20 students at one time to provide ten parking spaces. Twenty-three parking spaces are provided on-site, 19 of which are independently accessible. The remaining four spaces are enclosed by a fence. Three spaces are required for the dry-cleaning business. If the vacant tenant space were occupied by either an office use, which is a permitted use, or a storage use, a use permitted with a special use permit, those uses would each require three independently accessible standard size parking spaces, thus leaving 13 spaces for the proposed martial arts school, more than is required.

ZONING / MASTER PLAN

The subject property is located in the CSL/Commercial Low Zone. Section 4-303(V) of the zoning ordinance allows a commercial school in the CSL zone only with a special use permit. The subject property is governed by the Potomac West Small Area Plan chapter of the Master Plan, which designates the property for low scale commercial uses.

II. STAFF ANALYSIS

Staff recommends approval of the operation of a martial arts school located at 3400 Commonwealth Avenue. The proposed site is part of what historically was a nonresidential corner, and the 1992 CSL zoning reflects the then existing uses, including a church, prior gas station, and the retail/office and restaurant uses on the northeast corner of the intersection of Commonwealth Avenue and East Glebe Road. The Small Area Plan envisioned this corner becoming a neighborhood serving cluster of businesses. However, with the development of the Commonwealth Crossing development on Glebe Road, the subject property became disconnected from its prior nonresidential neighbors and now stands alone among several residential developments. As a consequence, the best non-residential land use of the site is for a low intensity use. The proposed business reflects this vision and although the use is not entirely neighborhood serving, it is not one which is likely to have a negative impact on surrounding residential uses.

The applicant has agreed to site improvements, including landscaping and removing chain link fencing that encloses four parking spaces on both sides of the building, replacing it with something more attractive, and installing a sidewalk south of the property on a small section of the public right-of-way that is overgrown with weeds and not usable for pedestrians. Staff has included a condition to that effect.

Staff has also included a condition requiring a review of the business after it has been operational for one year. With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

- 1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
- 2. The hours of operation of the school shall be limited to between 9:00 A.M. and 10:00 P.M., Monday through Friday, and 9:00 A.M. and 3:00 P.M. on Saturday. (P&Z)
- 3. The applicant shall post the hours of operation at the entrance to the business. (P&Z)
- 4. The number of students receiving instruction at any one time shall not exceed 20. (P&Z)
- 5. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
- 6. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly and unsanitary accumulation, on each day that the business is open to the public. (P&Z)
- 7. The applicant shall install and maintain landscaping along the front of the property, pursuant to a landscape plan to include trees and evergreen screening along the parking areas to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities. (P&Z)
- 8. The applicant shall replace the chain link fence on the north and south side of the building, and install a sidewalk on the public-right of way located south of the property to the satisfaction of the Director of Planning and Zoning and the Director of Transportation & Environmental Services within six months from approval of the special use permit. (P&Z)
- 9. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

- The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
- 11. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees and a security survey for the business, which is to be completed prior to the business opening. (Police)
- 12. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
- The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Bettina Irps, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- R-1 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 The current use is classified as M Mercantile; the proposed use is A Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy and compliance with USBC including but not limited to: limitations of exit travel distance, emergency and exit lighting, a fire alarm system, and accessibility for persons with disabilities.
- C-5 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-6 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC.

C-7 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

Health Department:

F-1 No comments.

Police Department:

- R-1 The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. This is to be completed prior to the business opening.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

APPLICATION for SPECIAL USE PERMIT # 2004-0015 [must use black ink or type] PROPERTY LOCATION: 3400 \$ 3402 COMMONWEALTH TAX MAP REFERENCE: 15. WEDH WOO APPLICANT Name: KWANG Address: 6700 PLEET DR. ALGRANDEIA UA 22310 PROPERTY OWNER Name: Altman ST. ALGRANDRIA VA 22314 PROPOSED USE: MARTIAL ARTS THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. HERMONA VA 22306 ---- DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY Application Received: _____ Date & Fee Paid: _____ \$

ACTION - PLANNING COMMISSION:

ACTION - CITY COUNCIL:

Special Use Permit # <u>2004-0015</u>

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

The applicant is	s (check one)	the Owner	[] Contract Purchaser
[] Lessee	or [] Other: _		of the subject propert
the applicant, us of more than te	nless the entity is a con percent.	orporation or partners.	person or entity owning an interest hip in which case identify each ow
KWANG WE	ON WOW, 6700 F	lggt be. Altern	MARA, VA 22310 (00
realtor or othe	r person for which the ich the agent is em	here is some form of	authorized agent such as an attor compensation, does this agent or ess license to operate in the Cit
realtor, or othe business in wh Alexandria, Vi	r person for which t ich the agent is em rginia?	here is some form of	ess license to operate in the Cit

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

employees, the use will g	he hours, how generate any no	parking is to bise. (o be provide (Attach addi	tional sheets	if necessary	ons, and wh
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and the second s					·	

YONG IN MARTIAL ARTS ACADEMY

We are planning to open a martial arts training center for children and adults at this location. Martial arts trains your body and mind for discipline and self confidence.

For Children:

- The martial arts is great for children.
- It will increase sense of responsibility and improve children's self-esteem,
- and decrease in the willingness to take foolish risks.
- The martial arts also teaches children discipline and good behavior,
- also teach children essential self-defense skills.

For Adults:

- It is a fun fulfilling workout.
- Relieve stress
- Give you confidence.
- Could save your life.
- Teach self-defense for life.

Operating hours:

Monday through Friday
Saturday
Sunday
9:00 AM to 9:00 PM
9:00 AM to 2:00 PM
Close

Student's ages:

• Children From 4 years old to adults

Capacity of Academy:

- In training center, the maximum students we can have in a class are 20 students. Most of the training classes will have 10 to 12 students at most.
- Each class lasts for 50 minutes with 10 minutes break time.

Parking:

- School age students will be dropped off and picked up by parents.
- There are ample parking spaces in the Delray Center parking lot for other students.

USE CHARACTERISTICS

ATALL.

MAXIMUM CAPACITY - 20 STUDGETS AT ALL TIME
MAXIMUM CAPACITY - 20 STUDGETS AT ALL TIM
A. How many patrons, clients, pupils and other such users do you expect? Spec period (i.e., day, hour, or shift).

	THERE IS NO OTHER TYPES NOISE IN TRAING ACADEMY
es	cribe any potential odors emanating from the proposed use and plans to control them:
ea	ase provide information regarding trash and litter generated by the use:
	What type of trash and garbage will be generated by the use?
	MADOMY IS SMILE TO GIFT STUDENTS DO PROGREGO GO SITE
•	ACAD BMY IS SAME AS GTM. STUDENTS DO PRACTICE ON SITE DO NOT GENERALE TRASH EXCEPT NORMAL OFFICE TRASH ONLY How much trash and garbage will be generated by the use?
•	DONOT GENERATE TRASH EXCEPT NORMAL OFFICE TRASH ONLY How much trash and garbage will be generated by the use? ORDINARY OFFICE OPERATION WILL ONLY GENERATE
•	TONOT GENERALE TRASH EXCEPT NORMAL OFFICE TRASH ONLY How much trash and garbage will be generated by the use?
	DONOT GENERATE TRASH EXCEPT NORMAL OFFICE TRASH ONLY How much trash and garbage will be generated by the use? ORDINARY OFFICE OPERATION WILL ONLY GENERATE MINIMUM OFFICE TRASH MID WILL BE HANDLED BY MAKED
	How much trash and garbage will be generated by the use? ORDINARY OFFICE OPERATION WILL ONLY GENERATE MINIMUM OFFICE TRASH AND WILL BE HANDLED BY MAKEN How often will trash be collected? ONDUTY.

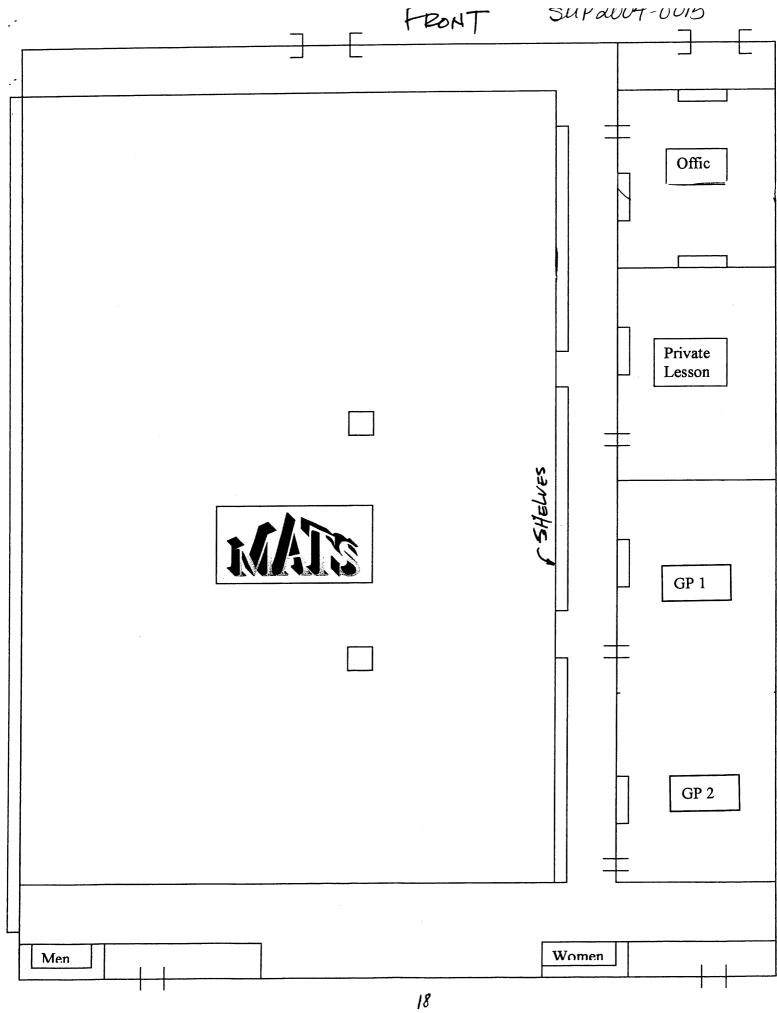
Will any ha or generate	zardous materials, as defined by the state or federal government, be handled, stored, d on the property?
[] Ye	es. No.
	vide the name, monthly quantity, and specific disposal method below:
Will any or solvent, be	ganic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing handled, stored, or generated on the property?
[] Y	es, No.
	vide the name, monthly quantity, and specific disposal method below:
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3371-14 math	ods are proposed to ensure the safety of residents, employees and patrons?
What mem	NS IN THEACAOOMY.
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COHOL SA	I FS
	oposed use include the sale of beer, wine, or mixed drinks?
-	
	es. No.
and/or off-	premises sales. Existing uses must describe their existing alcohol sales and/or identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

15.

	Α.	How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?				
	В.	How many parking spaces of each type are provided for the proposed use:				
		Standard spaces				
		Compact spaces				
		Handicapped accessible spaces.				
		Other.				
	C.	Where is required parking located? Mon-site [] off-site (check one)				
		If the required parking will be located off-site, where will it be located:				
		D				
		parking is located on land zoned for commercial or industrial uses. All other uses must				
	D.	provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of				
15.		provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL				
15.		provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.				
15.	Plea	provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION. se provide information regarding loading and unloading facilities for the use:				
15.	Plea	provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION. se provide information regarding loading and unloading facilities for the use: How many loading spaces are required for the use, per section 8-200 (B) of the				

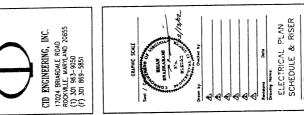
	D.	
	E.	How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
		N/A
16.	Is st	reet access to the subject property adequate or are any street improvements, such as a new ing lane, necessary to minimize impacts on traffic flow?
	سيبي	YES.
SIT	E CF	IARACTERISTICS My voc. 11 No.
17.		I the proposed uses be located in an existing building? Yes [] No
		you propose to construct an addition to the building? [] Yes No we large will the addition be? square feet.
18.	Wh	at will the total area occupied by the proposed use be?
	2	3/0 sq. ft. (existing) + 0 sq. ft. (addition if any) = $23/0$ sq. ft. (total)
19.	Th	e proposed use is located in: (check one)
		a stand alone building [] a house located in a residential zone [] a warehouse
		a shopping center. Please provide name of the center: DELRAY CENTER
	[]	an office building. Please provide name of the building:
	[]	other, please describe:



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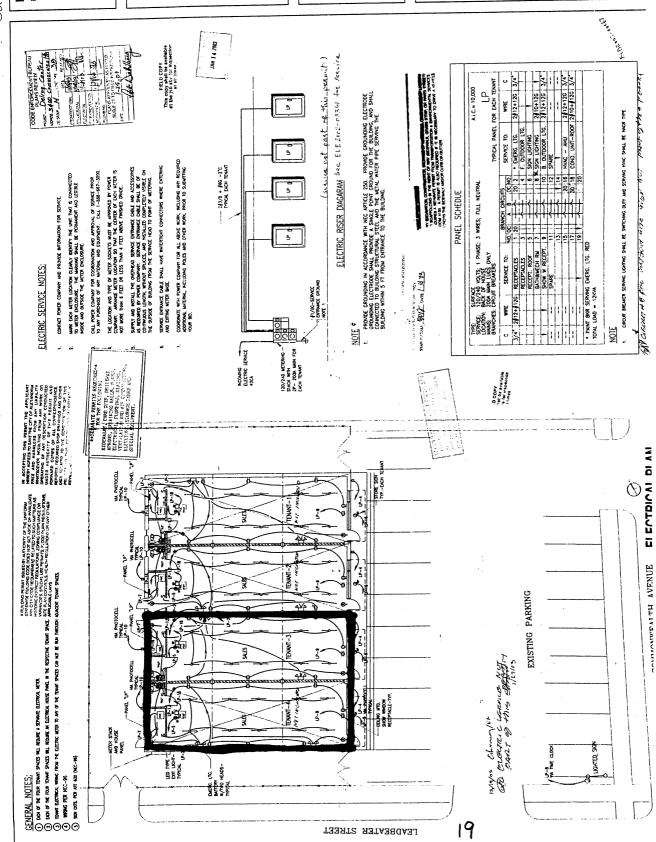
CUPAUNTUUN

PARS ORIENTAL



19

LEADBEATER STREET



Del Ray Citizens Association

PO Box 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

To:

Eileen Fogarty, Director, Office of Planning and Zoning

Sup 2004-0015

Amy Slack, Land Use Committee Co. Ch.

From:

Sarah Haut, Land Use Committee Co-Chair

Justin Wilson, President

Date:

April 30, 2004

Subject:

SUP#2004-0015; Yong in Marshal Arts Academy, 3400-02

Commonwealth Avenue. Request to operate a martial arts school.

Zoned CSL/Commercial Service Low.

Applicant: Kwang Weon Woo, by James C. Pan, agent

The applicant, Master Woo, and his agent, Mr. Pan, attended the Land Use committee meeting on April 15, 2004 to present their proposal. We had distributed flyers and the item was announced in the Association newsletter. We received no inquiries in response.

Master Woo plans to operate between the hours of 9 AM until 9 PM, Monday - Friday, and 9 AM until 2 PM on Saturday. Classes will last approximately 1 hour for a maximum of 20 students present at one time. Ages of the students will range between 4 years through Adult. Two employees will staff the school.

The site has sufficient on-site parking for the use and there is additional street parking available adjacent to the site.

The owner of an adjacent business voiced support for the request.

The school will occupy two of the four retail space located in a small commercial/retail building surrounded by residential uses. The previous proposed tenant, Stepping Stones, was opposed by the surrounding residential neighbors for several reasons; the hours of operation, number of patrons, parking, and the Club's purpose. The proposed school, while similar in the hours of operation, will generate far fewer users and demand for parking. Whereas LUC requested many site improvements for the previous SUP, we make no recommendations here.

The committee recommended to support the application and kindly suggests that Master Woo consider a relationship with the Cora Kelly After School program.

At their April 29, 2004 meeting, the Executive Board voted in favor of the Land Use committee recommendation.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Justin Wilson at 703-299 1576.

APPLICATION for SPECIAL USE PERMIT # 2004-0015

[must use black ink or type]
PROPERTY LOCATION: 3400 \$ 3402 COMMONWEALTH AVE
TAX MAP REFERENCE: 15.04-03-11 ZONE: <u>CSL</u>
APPLICANT Name: KWANG WEON WOO
Address: 6700 PLEST DR. ALGRANDEIA, UA 22310
PROPERTY OWNER Name: Altman Hossien
Address: 903 King ST. ALGRANDRIA, VA 22314
PROPOSED USE: MARTIAL ARTS ACADEMY
THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
Print Name of Applicant or Agent Signature Signature
Print Name of Appricant of Again
700 VANTAGE DR. ALEX 703-660-6120 703-660-6168 Mailing/Street Address Telephone # Fax #
Alterioria VA 22306 2/18/04 City and State Zip Code Date
DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY
Application Received: Date & Fee Paid: \$
ACTION - PLANNING COMMISSION: 06/01/04 RECOMMENDED APPROVAL UC
ACTION - CITY COUNCIL: 6/12/04 Approved 6-0

07/26/99 prizoning\pc-appt\forms\app-sup!